

RCE/2136
JW

THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Docket No. 406990)

In re the Application of:)	Customer No. 27717
)	
Rakesh Bhakta)	
)	Art Unit: 2136
Serial No.: 10/040,603)	
)	
Filed: January 7, 2002)	Examiner B. Hoffman
)	
For: Gaming Device with Biometric)	
System)	
)	

TO: MAIL STOP: RCE
Commissioner for Patent
P.O. Box 1450
Alexandria, Virginia 22313-1450

REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER 37 CFR 1.114

Dear Sir:

This is a Request for Continued Examination (RCE) in response to the Final Rejection of November 7, 2005.

This submission required comprises the Response to Final Rejection filed November 28, 2005, which was not entered by the Examiner.

A check for \$790 is enclosed as the large entity fee for the RCE. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required, or credit any overpayment to Deposit Account No. 19-1351.

In the advisory action mailed December 21, 2005, the Examiner stated that "the combination of the first document (in response to the first rejection) and the second document (in response to the final rejection) might possibly arrive at a proper 131

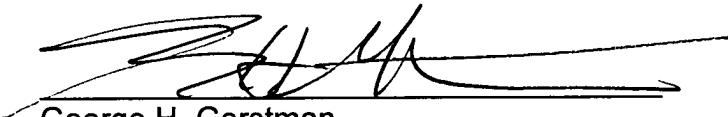
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Affidavit". It is submitted that the Declarations demonstrate that the invention was conceived prior to Bradford et al.'s July 17, 2001 filing date, and that there was reasonable diligence from prior to the July 17, 2001 filing date until applicant's invention was constructively reduced to practice on January 7, 2002. Therefore, the Examiner is requested to withdraw Bradford et al. as a reference, and to pass the application to issue at an early date.

Respectfully submitted,
SEYFARTH SHAW LLP




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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Mail Stop: AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Jan 6, 2006.



Registered Attorney for Applicant
Date: Jan 6, 2006